

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 04-cr-30055-MAP
)
 KACEY JONES,)
 Defendant.)

MOTION FOR A CONTINUANCE
(Assented to)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts respectfully requests this Court to continue this case for a further date until a date in May 2005 to address the Defendant's pending motions, including the Defendant's Request To Reopen Suppression Hearing (Dkt. # 45) and Motion to be Provided with Internal Investigation Reports Relevant To A Government Witness (Dkt. # 46).

In support of this motion the government states that the undersigned assistant U.S. Attorney's competing caseload includes three trials in U.S. District Court from March 23 through April 24, 2006. This competing caseload hampers my ability to file a substantive response pertaining to the allegations of perjury made about Officer Michael Trombley. I respectfully request further time to review the reports and transcripts provided to the government by the Defendant. In addition, in order to respond to Defendant's request for internal reports (Dkt. # 46),

the government has re-requested¹ the following information about Officer Michael Trombley from the Springfield Police and the Massachusetts State Police:

(a) any finding of misconduct that reflects upon the truthfulness or possible bias of these individuals, (b) any past or pending criminal charge brought against any of these individuals, and (c) any credible allegation of misconduct that reflects upon the truthfulness or possible bias of these individuals that is the subject of a pending investigation.

In addition to the foregoing, I request that you provide to me, with respect to these individuals, any allegations which could not be substantiated, were found to be not credible, or have resulted in the exoneration of these individuals insofar as those allegations reflect upon the truthfulness or bias of these individuals and (a) were made by a prosecutor, magistrate judge, or judge or (b) received publicity.

The government does not anticipate a response to this request from the agencies until April 15, 2006. Since this case is now scheduled for trial July 10, 2006, there is no prejudice to the Defendant in continuing the hearing from April 4, 2006 to a date in May of 2006. Attorney Mastroianni has assented to the government's for a continuance.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Paul Hart Smyth

Paul Hart Smyth
Assistant U.S. Attorney

¹The government initially sent this request to the Springfield Police Department prior to Officer Trombley's testimony on October 20, 2005.